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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Date : April 7, 2004

Shozo Kawanishi

Our Docket : ACO 301

Serial No. : 10/018,874

Group Art : 3736

Filed : February 26, 2002

Examiner : Matthew J. Kramer

For : VISCERAL FAT DETERMINING DEVICE

Commissioner for Patents

ATTN: EXAMINER MATTHEW J. KRAMER

ART UNIT 3736

P.O. Box 1450

Alexandria, Virginia 22313

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Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a Communication dated March 22, 2004, a Restriction Requirement was placed on the application, requiring election of one of the following species for prosecution under 35 U.S.C. § 121.

Species A: Use of Equation 1 from the specification in the processor; corresponding to claims 4, 15, 18, and 19.

Species B: Use of Equation 2 from the specification in the processor; corresponding to claim 5.

Species C: Use of Equation 3 from the specification in the processor; corresponding to claim 6.

Species D: Use of Equation 4 from the specification in the processor; corresponding to claims 7-10.

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Species E: Use of Equation 5 from the specification in the processor; corresponding to claims 11-14.

Species F: Use of Equation 6 from the specification in the processor; corresponding to claim 16.

Species G: Use of Equation 7 from the specification in the processor; corresponding to claim 17.

Applicant hereby elects Species A, for prosecution at this time. Claims 1-3 and 20-22 are generic. Claims 1-4, 15, 18, and 19-22 read on Species A. Applicant requests that these claims be examined at this time. Applicant reserves the right to pursue the non-elected subject matter upon the allowance of a generic claim in the present application, or in a divisional or other continuing application.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, Virginia 22313, on April 7, 2004.



George Painter

Date of Signature: April 7, 2004

Respectfully submitted,
KOLISCH HARTWELL, P.C.


Mark D. Alleman

Customer No. 23581

Registration No. 42,257

of Attorneys/Agents for Applicant
520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204

Telephone: (503) 224-6655

Facsimile: (503) 295-6679